

§ 179.2

(e) When this part requires a tank to be marked with a DOT specification (for example, DOT-105A100W), compliance with that requirement is the responsibility of the tank builder. Marking the tank with the DOT specification shall be understood to certify compliance by the builder that the functions performed by the builder, as prescribed in this part, have been performed in compliance with this part.

(f) The tank builder should inform each person to whom that tank is transferred of any specification requirements which have not been met at time of transfer.

[Amdt. 179-17, 41 FR 38183, Sept. 9, 1976, as amended by Amdt. 179-50, 60 FR 49076, Sept. 21, 1995]

§ 179.2 Definitions and abbreviations.

(a) The following apply in part 179:

(1) *AAR* means Association of American Railroads.

(2) *Approved* means approval by the AAR Committee on Tank Cars.

(3) *ASTM* means American Society for Testing and Materials.

(4) *DOT* and *Department* means Department of Transportation.

(5) Definitions in part 173 of this chapter also apply.

(6) *F* means degrees Fahrenheit.

(7) *NGT* means National Gas Taper Threads.

(8) *NPT* means American Standard Tape Pipe Thread.

(9) *Psi* means pounds per square inch gauge.

(10) *Tank car facility* means an entity that manufactures, repairs, inspects, tests, qualifies, or maintains a tank car to ensure that the tank car conforms to this part and subpart F of part 180 of this subchapter, that alters the certificate of construction of the tank car, that ensures the continuing qualification of a tank car by performing a function prescribed in parts 179 or 180 of this subchapter, or that makes any representation indicating compliance with one or more of the requirements of parts 179 or 180 of this subchapter.

(11) *Tanks* means tank car tanks.

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(b) [Reserved]

[29 FR 18995, Dec. 20, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967, and amended by Amdt. 179-10, 36 FR 21344, Nov. 6, 1971; Amdt. 179-50, 60 FR 49076, Sept. 21, 1995; Amdt. 179-50, 61 FR 33255, June 26, 1996]

§ 179.3 Procedure for securing approval.

(a) Application for approval of designs, materials and construction, conversion or alteration of tank car tanks under these specifications, complete with detailed prints, shall be submitted in prescribed form to the Secretary, Mechanical Division, AAR, for consideration by its Committee on Tank Cars and other appropriate committees. Approvals or rejections of applications, based on appropriate committee action, shall be issued by said Secretary.

(b) When, in the opinion of the Committee, such tanks or equipment therefor are in compliance with effective regulations and specifications of the Department, the application will be approved.

(c) When, in the opinion of the Committee, such tanks or equipment therefor are not in compliance with effective regulations and specifications of the Department, the Committee may recommend service trials to determine the merits of a change in specifications. Such service trials may be authorized by the Department under the terms of exemptions.

[29 FR 18995, Dec. 29, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967 and amended by Amdt. 179-41, 52 FR 36672, Sept. 30, 1987]

§ 179.4 Changes in specifications for tank cars.

(a) Proposed changes in or additions to specifications for tanks shall be submitted to the Secretary, Mechanical Division, AAR, for consideration by its Committee on Tank Cars. An application for construction of tanks to any new specification may be submitted with proposed specification. Construction should not be started until the specification has been approved or an exemption has been issued. When proposing a new specification, the applicant shall furnish information to justify a new specification. This data

should include the properties of the lading and the method of loading and unloading.

(b) The Subcommittee on Specifications of the Committee on Tank Cars shall review the proposed specification at its earliest convenience and report its recommendations to the Committee on Tank Cars for prompt consideration. The Committee on Tank Cars shall report its recommendations through said Secretary to the Department; such reports may be submitted to the Bureau of Explosives for its recommendation before action by the Department. Expert opinion thus obtained will be given due consideration by the Department in determining appropriate action.

[29 FR 18995, Dec. 29, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967 and amended by Amdt. 179-41, 52 FR 36672, Sept. 30, 1987]

§ 179.5 Certificate of construction.

(a) Except as provided in paragraph (b) of this section, before a tank car is placed in service, the party assembling the completed car shall furnish a Certificate of Construction, Form AAR 4-2 to the owner, the Bureau of Explosives (as required by § 179.5(d)), and the Secretary, Mechanical Division, AAR, certifying that the tank, equipment, and car completed comply with all the requirements of the specification.

(b) Before a tank of Class DOT-106A, 107A, or 110A is placed in service, the builder must furnish a Certificate of Construction, Form AAR 4-2 to the owner, the Bureau of Explosives (as required by paragraph (d) of this section), and the Secretary, Mechanical Division, AAR, in addition to a Certificate of Inspector's Report as required in § 179.300-20 and § 179.500-18 in prescribed form certifying that the tank and appurtenances comply with all the requirements of the specifications.

(c) If the owner elects to furnish the appurtenances such as valves and safety devices, the owner shall furnish to the Bureau of Explosives, and to the Secretary, Mechanical Division, AAR, a report in prescribed form, certifying that the appurtenances comply with all the requirements of the specifications.

(d) When cars or tanks which are covered on one application and are identical in all details are built in series,

one certificate shall suffice for each series when submitted to the Secretary. One copy of the Certificate of Construction must be furnished to the Bureau of Explosives for each car number of consecutively numbered group or groups covered by the original application.

[Amdt. 179-10, 36 FR 21344, Nov. 6, 1971]

§ 179.6 Repairs and alterations.

For procedure to be followed in making repairs or alterations, see appendix R of the AAR Specifications for Tank Cars.

[Amdt. 179-10, 36 FR 21344, Nov. 6, 1971]

§ 179.7 Quality assurance program.

(a) At a minimum, each tank car facility shall have a quality assurance program, approved by AAR, that—

(1) Ensures the finished product conforms to the requirements of the applicable specification and regulations of this subchapter;

(2) Has the means to detect any non-conformity in the manufacturing, repair, inspection, testing, and qualification or maintenance program of the tank car; and

(3) Prevents non-conformities from recurring.

(b) At a minimum, the quality assurance program must have the following elements

(1) Statement of authority and responsibility for those persons in charge of the quality assurance program.

(2) An organizational chart showing the interrelationship between managers, engineers, purchasing, construction, inspection, testing, and quality control personnel.

(3) Procedures to ensure that the latest applicable drawings, design calculations, specifications, and instructions are used in manufacture, inspection, testing, and repair.

(4) Procedures to ensure that the fabrication and construction materials received are properly identified and documented.

(5) A description of the manufacturing, repair, inspection, testing, and qualification or maintenance program, including the acceptance criteria, so